



City of Rockville
111 Maryland Avenue
Rockville, Maryland
20850-2364

Community Development
(301) 309-3200
TDD (301) 309-3187
FAX (301) 762-7153

Economic Development
(301) 309-3240

Inspection Services
(301) 309-3250

Planning Division
(301) 309-3200

September 17, 1997

Mr. Burr Ault, Assistant Vice President
Lowe Enterprises Mid-Atlantic, Inc.
1945 Old Gallows Road Suite 210
Vienna, VA 22182

Dear Mr. Ault:

Re: 15 West Gude Drive, Vitro Property

Thank you for meeting with me recently regarding the above-referenced property within the City of Rockville. We are delighted to hear that your firm has chosen to purchase this prominent and important property in the City. I hope that if the purchase of this site comes to pass as planned, we can be of service to you as you solidify your future plans for further development of the site.

As we discussed, I am replying to your questions regarding possible development scenarios for the remaining two buildings on the site. If you were to proceed with the development of the two buildings *exactly* as shown on the approved Use Permit plans, and to address any outstanding conditions of approval that may exist, no additional permits from this Division will be necessary. You will, of course, have to apply for building permits from our Division of Inspection Services, and have to address current stormwater management (SWM) requirements through our Public Works Department. In addition, new construction will also require adherence to the City's new Forest and Tree Protection Ordinance which governs the amount of replacement trees required if any are removed.

Please also note that the architectural style of the building does not have to match those filed with the original application. However, the footprint, building height and square footage will need to remain the same as originally approved. As noted earlier, current SWM requirements have changed since the original submission; you will also have to incorporate changes to the SWM plans made thorough negotiations with the developers of the adjacent King Farm property. At this time, we have decided to continue to allow the use of compact parking spaces on the site if you choose to develop using the approved plan. However, we would prefer that standard parking spaces be used if possible, and will not require a new Use Permit if you can provide sufficient parking using standard size spaces.

You also mentioned the possibility that the second phase of the development would be constructed using one taller building versus the two lower buildings, but retain the approved number of square feet. Another scenario involved keeping the approved footprint, while adding floors and more square footage to the buildings. Either of these possibilities would necessitate the filing of a new Use Permit application, fee and required plans. In addition to the SWM and FTPO requirements discussed above, a new Use Permit would also require submission of a

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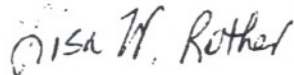
Mr. Ault
September 17, 1997
Page 2

Traffic Impact Study and fee; this new study may, in turn, reveal a need for on- or off-site traffic improvements. These improvements may take the form of construction at the perimeter of the site or a contribution for off-site transportation improvements or to a Traffic Demand Management fund.

As far as timing of permits is concerned, I can tell you that a new Use Permit usually requires four to six weeks to process, with additional time possibly necessary for review of a traffic impact study. Since this site now borders a proposed residential area (King Farm), the application will most likely be reviewed by the Planning Commission at a public meeting.

I hope this information has been helpful to you; I have taken the liberty to enclose some information about the processing of a Use Permit that you may wish to review before contacting us. Feel free to contact me at (310)309-3210 if there are any additional questions.

Sincerely,



Lisa W. Rother
Chief of Planning

Enclosures

cc: Ed Duffy, Acting Director, CP & DS
Eric Jenkins, Transportation Planner



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Neighborhood Resources
(301) 309-3200

July 10, 1998

Stephen J. Orens
Conroy, Ballman & Dameron
6 Montgomery Village Avenue
Suite 402
Gaithersburg, Maryland 20879

Dear Mr. Orens:

Re: 45 W. Gude Drive, Rockville, Maryland

The above mentioned property is located in the I-3 Zone where general offices and research laboratories are permitted uses. Reoccupancy of the above mentioned site is controlled by the approvals given with Use Permit U-279-83 which allows for use of the site by office and research and development uses. The number of parking spaces on the site is based on the Zoning Ordinance's requirement for office use, which is one parking space for each 300 square feet of gross floor area.

In your letter, dated July 9, 1998, you mentioned that the Perkin-Elmer Corporation was looking at 113,960 square feet of leasable space at this location to house its operations that include mostly office functions but also research laboratory and electronic equipment assembly functions. The activities mentioned seem to be compatible with the approvals given with Use Permit U-279-83 and with the approved uses for the I-3 Zone. Please note that prior to occupying the building, an Occupancy Permit must be applied for and approved by the City's Inspection Services Division.

Further, a review of our records does not indicate any outstanding building code or zoning violations for this site.

If you have any additional questions, please feel free to contact Al Stern at (301)309-3249.

Sincerely,

Kathleen A. Mitchell
Director, Community Planning
and Development Services

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May 1, 2000

Mr. Jeff Fuller
DNC Architects
1370 Piccard Drive
Rockville, MD 20850

Dear Jeff:

Re: Celera Use Permit Review, 15 West Gude Drive

Thank you for your inquiry regarding the above referenced site. I have attached a copy of a previous letter that outlines some of the issues related to this site. This letter will further address several of the issues.

FOREST CONSERVATION - Any trees removed from this property will likely be required to be replaced at a ratio of three trees replaced for every tree removed. Prior to issuance of any permits for the second phase of this development, a Forest Stand Delineation must be submitted, and a Forest Conservation Plan approved. It is possible that compliance with the replacement standard will require some planting off the site. It should be noted, however, that the abandoned Stormwater Management (SWM) area may be used for planting area since the SWM requirements are being met in Watkins Pond on the King Farm.

BUILDING PLACEMENT - The building placement should follow as closely as possible the existing placement of the two original buildings. The new buildings should be sited as closely as possible to the footprints shown on the originally approved site plan.

PARKING/COMPACT SPACES - Staff acknowledges that there are existing compact car parking spaces on the site and we will not require these to be eliminated. However, it would be best not to create any new compact parking spaces as the remainder of the site is developed. Please review the site plan to determine if it is possible to accommodate the required parking with all new standard size 9-foot X 18-foot spaces.

PARKING SETBACK - The 20-foot parking setback shown on the existing approved plans adjacent to the King Farm may be maintained. While the Ordinance requires that parking be kept out of a setback area where an industrial lot adjoins a residential zone, the King Farm is zoned O-3, not a residential zone, even though there will be residential uses adjacent to the industrial area.

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Jeff Fuller
May 11, 2000
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These comments should provide you with the information you need as you proceed with planning the additional development on the site. Should you need additional information, please feel free to contact me at (301) 309-3204. The Department of Public Works and City Forester may also be contacted for additional information on the above information.

Sincerely,



Lisa W. Rother
Community Planner

cc: Julia Novak, Acting Director, CPDS
Bob Spalding, Chief of Planning
Jim Wasilak, Planner III
Lise Soukoup, Civil Engineer
Susan Nolde, Asst. City Forester



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www.rockvillemd.gov

Community Planning and
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Historic Preservation Office
240-314-8230

Inspection Services Division
240-314-8240

Long Range Planning
Division
240-314-8200

Planning Division
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Revitalization/Housing
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March 22, 2005

Corporate Office Properties, L.P.
8815 Centre Park Drive
Suite 400
Columbia, Maryland 21045

Anchor Title Insurance Company
10715 Charter Drive
Columbia, Maryland 21044

Re: 15 and 45 West Gude Drive, Lot 1, Vitro's Addition to College Gardens

To Whom It May Concern:

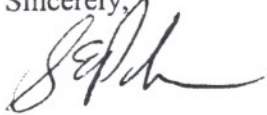
In response to your request, the following is known about the above-mentioned property:

1. The property is located within the City of Rockville, where it is zoned I-3, Industrial Park. Office and lab uses are permitted within the I-3 Zone.
2. The Community Planning and Development Department is responsible for the enforcement of building codes, Occupancy Permits, Use Permits and the Zoning Ordinance, as well as other similar codes and ordinances.
3. Prior to construction or occupancy, all non-residential properties within the City of Rockville must obtain a Use Permit. On October 12, 1983, the City of Rockville Planning Commission approved Use Permit U-279-83 for development of the approximately 24.50 acre site with four office buildings containing a total of 446,000 square feet of gross floor area. To date, only two of the four buildings have been constructed but the zoning approvals of the additional two buildings remain in effect. The property apparently lost some land due to right-of-way dedication since the original Use Permit approval. All the remaining land of record Lot 1, in Vitro's Addition to College Gardens is subject to approved Use Permit U-279-83. From the information contained in the Maryland State Tax Assessor's database, the remaining part of Lot 1 is divided into two tax accounts. The City of Rockville does not keep land transfer records and has no information as to how the property was divided. It should be noted, however, that any division of land that creates a parcel of less than ten acres must obtain approval from the City of Rockville Planning Commission either with a subdivision plat or an Ownership plat. Since a division of land took place without the approval of knowledge of any City agency, the City will only recognize the lawfully approved development plan and approved and recorded record lot.
4. A search of our records does not reveal any outstanding building code violations. Other than the inconsistency noted above regarding the underlying record lot, there were no zoning code violations identified. Additionally, we are unaware of any tenants occupying the buildings without an Occupancy Permit.

Corporate Office Properties, L.P.
Anchor Title Insurance Company
March 23, 2005
Page two

Should you have any additional questions, please feel free to contact Margaret Hall at
(240) 314-8226.

Sincerely,

A handwritten signature in black ink, appearing to read "SE Parker", written over the word "Sincerely,".

Scott E. Parker, A.I.C.P.
Acting Chief of Planning